

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 16, 2010**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on September 16, 2010 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS
PRESENT:**

Patricia M. Selig, R.N., F.N.P., PhD, President
Peregrin Francisco, R.N., M.S.A.
Brenda Hale, R.N.
Louise Hartz, Citizen Member
Jeanne Holmes, Citizen Member
Evelyn Lindsay, L.P.N.
Karen K. Schultz, Ph.D., M.B.A., PhD, Citizen Member

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director (joined later)
Amy Davis, Executive Assistant

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General
Nursing students from Germanna Community College and ECPI

**ESTABLISHMENT OF
A QUORUM:**

With seven members of the Board present, a quorum was established.

FORMAL HEARINGS:

Lori S. Gunn, 0002-073371
Ms. Gunn did not appear.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Jennifer Challis, Senior Investigator, Department of Health Professions; Melissa Boyness, Assistant Administrator, Ginter Hall South; and Julie Edmunds, Administrator, Lucy Corr Assisted Living were present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:48 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gunn. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 10:09 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing indefinitely suspend the practical nursing license of Lori Gunn for a period of not less than two years and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 10:17 A.M.

RECONVENTION: The Board reconvened at 10:23 A.M.

FORMAL HEARINGS: **Nicole R. Hirt, R.N. Reinstatement Applicant 0001-217328**
Ms. Hirt appeared.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:49 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hirt. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:13 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public

business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Holmes moved that the Board of Nursing approve the reinstatement application of Nicole Hirt and indefinitely suspend the professional nursing license of Ms. Hirt, stay said suspension contingent upon proof of entry into a recovery monitoring contract with the Health Practitioners Monitoring Program and remaining in compliance thereafter. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Jonathan B. Thompson, L.P.N. Reinstatement Applicant 0002-081235

Mr. Thompson appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Loretta Hopson-Bush, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:51 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Thompson. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 12:10 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Hale moved that the Board of Nursing reinstate the practical nursing license of Jonathan Thompson and issue a single state valid in Virginia only license and

further issue a reprimand to Mr. Thompson. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Dr. Schultz and Ms. Douglas left the meeting.

RECESS: The Board recessed at 12:15 P.M.

RECONVENTION: The Board reconvened at 1:08 P.M.

Ms. Power joined the meeting.

FORMAL HEARINGS: **Andrea Vernon, L.P.N. 0002-057447**
Ms. Vernon did not appear.

Wendell Roberts, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Helene Kelly, Senior Investigator, Department of Health Professions; and Rosemary Burke, RN, Director of Mary Washington Hospital Health and Wellness; were present and testified.

Ms. Krohn left the meeting.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:47 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Vernon. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:57 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Hartz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Roberts.
The motion was seconded and carried unanimously.

ACTION: Ms. Holmes moved that the Board of Nursing indefinitely suspend the practical nursing license of Andrea Vernon for not less than two years and until such time

as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Krohn re-joined the meeting

RECESS: The Board recessed at 2:00 P.M.

RECONVENTION: The Board reconvened at 2:09 P.M.

FORMAL HEARINGS: **Jesse Draugelis, C.N.A. 1401-130624**
Ms. Draugelis appeared.

Wendell Roberts, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Holly Bush, court reporter, recorded the proceedings.

Kim Martin, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:58 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Draugelis. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Krohn, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:31 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Roberts and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Hale moved that the Board of Nursing indefinitely suspend the nurse aide certificate of Jesse Draugelis, with said suspension may be stayed upon submission of a letter from her psychiatrist indicating Ms. Draugelis is able to resume safe and competent practice and appear before an informal conference committee of the Board of Nursing. At that time, she may be placed on indefinite probation.
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 3:40 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director